

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

DENNIS RAY LATNEY

PLAINTIFF

VS.

CIVIL ACTION NO. 4:08cv111 TSL-LRA

SHERIFF TODD KEMP, et al.

DEFENDANTS

ORDER

This cause came on this date to be heard upon the report and recommendation of the United States magistrate judge, and the court, having fully reviewed the report and recommendation of the United States magistrate judge entered in this cause on or about May 17, 2010, and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge Linda R. Anderson entered on May 17, 2010, be, and the same is hereby, adopted as the finding of this court, and the cause should be dismissed without prejudice based upon plaintiff's failure to prosecute. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED, this the 7th day of June, 2010.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE